

REMARKS

Applicants note that the amendments and remarks filed August 10, 2009 constitute a full response to the outstanding Office Action.

Further, on page 3 of the last Office Action, claims 1, 4, 6-7 and 17 were provisionally rejected on the grounds of non-statutory obviousness-type double patenting as being unpatentable over claims 1-5 and 18-21 of U.S. Application No. 10/926,088.

Without intending to acquiesce to these rejections and merely to expedite allowance of the application, the Applicants submit herewith a Terminal Disclaimer under 37 CFR 1.321, which is signed by a registered attorney of record, together with the fee to overcome the provisional obviousness-type double patenting rejection over co-pending Application No. 10/926,088. The Terminal Disclaimer removes this application as a reference.

Therefore, the double patenting rejection should be withdrawn.

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is in condition for allowance and early notice to that effect is hereby requested.

If the Examiner has any comments or proposals for expediting prosecution, please contact the undersigned attorney at the telephone number below.

Respectfully submitted,

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/William R.

By **Schmidt, II/**

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